

**WELLS FARGO BANK, NATIONAL
ASSOCIATION; and NRF CAPITAL,
L. P.,**

Plaintiffs,

Vs.

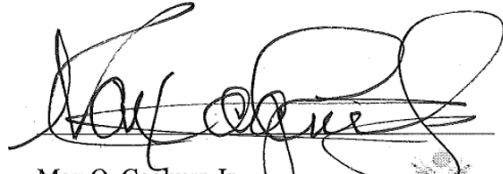
**CHARLOTTE OVERLOOK
APARTMENTS, L. L. C., *et al.*,**

Defendants.

THIS MATTER is before the court on preliminary review of the hearing calendared for April 28, 2011. Inasmuch as Honorable Dennis L. Howell, United States Magistrate Judge, has timely reached the Motion for Remand (#14), and has entered a Memorandum and Recommendation wherein he determined that the removing defendants have not met their burden of demonstrating that the non-consenting defendants are nominal parties and that their consent to removal was required for removal to be proper, the court will cancel the hearing set for April 28, 2011, on the pending motions.

IT IS, THEREFORE, ORDERED that the hearing on all motions calendared for April 28, 2011, at 10:30 a.m. is **CANCELLED**.

Signed: April 22, 2011



Max O. Cogburn Jr.
United States District Judge